

Regular Session, 2011

HOUSE BILL NO. 219

BY REPRESENTATIVES SAM JONES, BARRAS, CHAMPAGNE, AND ST. GERMAIN
AND SENATOR MILLS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

PROPERTY/PUBLIC: Provides for specific uses for the Atchafalaya Basin Conservation
Fund

1 AN ACT

2 To amend and reenact R.S. 30:2000.12(C), relative to the Atchafalaya Basin Conservation
3 Fund; to provide for funds to purchase, from willing sellers, land in the Atchafalaya
4 Basin; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 30:2000.12(C) is hereby amended and reenacted to read as follows:

7 §2000.12. Atchafalaya Basin Conservation Fund

8 * * *

9 C.(1) Monies appropriated from the fund shall be used exclusively by the
10 Department of Natural Resources to fund projects contained in the state or federal
11 Basin master plans, an annual Basin plan, or to provide match for the Atchafalaya
12 Basin Floodway System, Louisiana Project. Of the monies allocated in any one
13 fiscal year, seventy-five percent shall be used for water management, water quality,
14 or access projects, and the remaining twenty-five percent may be used to complete
15 ongoing projects and for projects that are in accordance with the mission statement
16 of the state master plan. The monies in the fund shall not be used to pay salaries or
17 operating costs of the program or department.

18 (2) Of the monies received by the fund each year in accordance with the
19 provisions of Article VII, Section 4(D)(4)(b) of the Constitution of Louisiana, five
20 percent shall be set aside for the Department of Natural Resources to purchase, in fee

title from willing sellers, land located within the Atchafalaya Basin to be used as
conservation servitudes. As conservation servitudes, the mineral rights shall remain
with the owner from whom the land was purchased. The conservation easements
may be used to provide a match for the Atchafalaya Basin Floodway System,
Louisiana Project. Any land to be purchased under the provisions of this Paragraph
shall be included in the Basin annual plan for presentation to the legislature for its
approval.

* * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Sam Jones

HB No. 219

Abstract: Provides for certain funds in the Atchafalaya Basin Conservation Fund to be used to purchase from willing sellers land in the Atchafalaya Basin.

Present constitution provides for certain revenues from severance taxes levied in the Atchafalaya Basin to be deposited into the Atchafalaya Basin Conservation Fund. Present law specifies how those revenues are to be expended, i.e., for projects contained in the state or federal Basin master plans, an annual Basin plan, or to provide match for federal dollars being used in the Atchafalaya Basin Floodway System, Louisiana Project.

Proposed law retains present law and further provides that of the funds received from the severance tax dedication, 5% is to be set aside for the Dept. of Natural Resources to purchase, in fee title from willing sellers, land located within the Atchafalaya Basin to be used as conservation servitudes. Provides that the mineral rights remain with the seller. Further provides that the land to be purchased is to be included in the Basin annual plan which is presented to the legislature for approval.

(Amends R.S. 30:2000.12(C))